

US EPA RECORDS CENTER REGION 5



487172

1 In re:

2
3 INTERVIEWS OF IWD DRIVERS

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6 Sworn statement of JAMES L. HARRIS, JR.,
7 Witness herein, called by Waste Management of North
8 America, Inc. for examination pursuant to the Rules of
9 Civil Procedure, taken before me, Caryl L. Blevins, a
10 Notary Public in and for the State of Ohio, at the
11 offices of Industrial Waste Disposal, 3975 Wagner-Ford
12 Road, Dayton, Ohio, on Monday, the 1st day of March,
13 1993, at 3:15 o'clock p.m.

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1 APPEARANCES:

2 On behalf of Waste Management of North America,
3 Inc.:4 By: Meg Briarton
5 Paralegal
6 Mideast Region
7 17250 Newburgh Road
8 Livonia, Michigan 48152

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1 JAMES L. HARRIS, JR.
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Can you please state your name, address,
8 and age, please?

9 A. James L. Harris, Jr., 4134 Kamer Avenue,
10 zip code one seven.

11 Q. And your age?

12 A. Fifty-two.

13 Q. You were going to say forty-two, huh?
14 Shave off ten years?

15 A. Try to.

16 Q. First of all, can you tell me when you
17 started with IWD, what year?

18 A. '74, August 26.

19 Q. Before starting with IWD -- which would
20 probably be Danis at that time, correct?

21 A. Yeah.

22 Q. Before it was IWD it was a Danis owned
23 company?

24 A. Uh-hum.

25 Q. Did you have any prior experience in the

1 waste industry with any other company? Did you work
2 for any other -- like any of the competitors or --

3 A. No. No. No competitors, but the company I
4 worked for, they used to do demolition and stuff for
5 Victory Express. It's been long years ago, though.

6 Q. Was that like a contractor and they did,
7 like you say, demolition?

8 A. Uh-hum. I mean, when they run into
9 problems, I would drive the truck, haul the
10 demolition.

11 Q. To landfills?

12 A. To the landfills, yeah.

13 Q. What area of Dayton did you work in? Was
14 that in Dayton?

15 A. Uh-hum. Yes.

16 Q. What part of Dayton did you work in?

17 A. You mean to haul it to the landfill?

18 Q. Yes. Do you remember any of the landfills
19 that you may have hauled to?

20 A. Oh, boy. It's been so long. East River
21 Road.

22 Q. East River Road?

23 A. Yeah.

24 Q. You know, that's the one that --

25 A. They called it Vance.

1 Q. Is that the same as Vance Road?

2 A. Yes. Uh-hum.

3 Q. I think Joe Smart was talking about that
4 but he couldn't remember the name of the landfill, but
5 that's the same? East River Road is Vance Road?

6 A. Yeah. Yeah.

7 Q. Is that the one that was a Container
8 Service?

9 A. No. This was closed --

10 Q. I'm trying to remember. I thought he said
11 it was run by Container Service.

12 A. It might be now.

13 Q. No, back then.

14 A. No. This was run by -- I can't even think
15 of the guy's name, but he closed it up and then they
16 done reopened it.

17 Q. But this would have been when you worked
18 for -- was it Victory Express?

19 A. Yes.

20 Q. This would have been in the very early
21 '70's, probably?

22 A. '60's, '70's, yeah.

23 Q. Late '60's?

24 A. Yeah. Late '60's and early '70's.

25 Q. All right. And if you hauled demolition

1 debris, it was to East River Road?

2 A. Right.

3 Q. Is there any other landfill that you might
4 have hauled it to?

5 A. Huh-um.

6 Q. It was always your concrete, building,
7 whatever --

8 A. Well, whatever material, you know. I don't
9 know. Whatever was in there.

10 Q. Fair enough. All right. So you started
11 with IWD in 1974?

12 A. Uh-hum.

13 Q. What was your position at that time?

14 A. Mechanic.

15 Q. Mechanic?

16 A. Jack-of-all-trades and master of none.
17 That's where they had me, just like I am now.

18 Q. Well, there are worse things you could be.

19 A. Yeah.

20 Q. All right. So you started out as a
21 mechanic and that's what you are to this day,
22 presently working as a mechanic?

23 A. Uh-hum.

24 Q. It's my understanding that you have done
25 some relief driving, a little bit?

1 A. Yeah. Well, a little bit when they was
2 in -- got in a problem there. That's been a while,
3 though, now.

4 Q. Do you drive at all now, or are you
5 strictly a mechanic?

6 A. No. I drive -- I mean, no, I don't drive.
7 Just put it that way. I drive them, take them to the
8 incinerators and stuff, you know, dumping them, just
9 stuff like that. If the truck's broke down, I take
10 them and dump them.

11 Q. Okay. Let me ask you this: When you
12 started for IWD in '74 as a mechanic, did you also
13 drive like the first year, I mean, ever since you
14 started, or do you recall when you started driving?

15 A. Probably the second year. I didn't drive
16 long. I just drove, you know, a couple weeks at a
17 time or something, you know.

18 Q. Like if someone was on vacation, if they
19 were short?

20 A. Right. Run into problems, tight. Most of
21 the time when I was hauling that stuff, it was Dayton
22 Rubber where I was hauling out of.

23 Q. Let's talk about Dayton Tire & Rubber.
24 Okay. Was that a roll-off? Was that a lugger?

25 A. No. Roll-off. Uh-hum. Uh-hum.

1 Q. You would fill in as needed?

2 A. Right..

3 Q. Can you tell me what type of waste? Do you
4 have any recollection what type of waste it was?

5 A. Whatever they put in that box, that's what
6 I hauled, you know.

7 Q. I understand there was, you know, pieces of
8 rubber and tire and -- did you work days or nights or
9 both?

10 A. Where? Here?

11 Q. No. Like when you would drive if you were
12 on relief. Was it generally --

13 A. Well, like I come in in the afternoon and I
14 drove the night, and that was it.

15 Q. So it was mostly the same shift?

16 A. About four or five hours. Yeah, same
17 shift, second shift that I've been on.

18 Q. For Dayton Tire, maybe some of this sounds
19 familiar to you. They generated things such as carbon
20 black, melted rubber, belts, liquids --

21 A. Yeah. Yeah.

22 Q. -- rubber shavings, general refuse, skids,
23 things like that?

24 A. Right. Uh-hum.

25 Q. Could have been any of those things?

1 A. Whatever was in that box.

2 Q. And this would have been probably in the
3 mid '70's, mid to late '70's?

4 A. '77, '78, something like that.

5 Q. Do you have any recollection where you may
6 have hauled that waste to when you hauled for Dayton
7 Tire?

8 A. Yeah. Down on Cardington Road.

9 Q. Cardington Road?

10 A. Yeah.

11 Q. Well, you probably didn't, but I'll ask
12 anyway. We know Valleycrest closed about 1975, which
13 is -- Valleycrest is right here (indicating). Do you
14 have any recollection of hauling to Valleycrest?

15 A. Where?

16 Q. It's right here (indicating).

17 A. (No response.)

18 Q. I guess if it makes it any easier, there's
19 two parts of it, one on each side of the road, two
20 parcels. It was run by Danis.

21 A. Might have been we hauled some over there,
22 too. I remember hauling some somewhere back off of
23 Valley or either --

24 Q. Valleycrest Drive, I guess?

25 A. -- off of Harshman. I think it was

1 Harshman that I remember.

2 Q. Harshman Road?

3 A. I think over in there off of Springfield.
4 It was those -- it was a dump over in there I hauled
5 some stuff over to. I can't remember the name.

6 Q. Okay. But no independent recollection that
7 you specifically hauled to Valleycrest?

8 A. I don't think so. I don't remember.

9 Q. It might have been closed by the time you
10 started driving if you didn't start driving till '75.
11 Okay. Now, with Dayton Tire & Rubber, you say
12 Cardington. Do you know, would it have always gone to
13 Cardington? Do you think you ever hauled it to Powell
14 Road at all?

15 A. Huh-um.

16 Q. No? Just Cardington?

17 A. That's where I went to.

18 Q. Any other customers that come to mind that
19 you might have hauled for?

20 A. No. That was all I hauled for.

21 Q. That's the only company you hauled for?

22 A. That's the only company I hauled for. As
23 far as I know, that's the only one.

24 Q. I think I have a note to ask you about
25 Specialty Paper. I must have talked to you about this

1 before. Did you --

2 A. Specialty Paper? I think I did haul a load
3 or two out of there. That's been so cotton-picking
4 long.

5 Q. I know. I understand. If you don't
6 recall, that's fine.

7 A. I don't remember Specialty Paper, to tell
8 you the truth.

9 Q. In the notes I had from a prior
10 conversation with you, I think you indicated Dayton
11 Tire & Rubber and Specialty Paper, and those were the
12 only two, and that you didn't drive that often, it was
13 just occasional relief, so --

14 A. Uh-hum. I don't remember Specialty Paper.

15 Q. Okay. We may make this real short and
16 sweet. So other than Dayton Tire, that's probably it,
17 right?

18 A. Uh-hum.

19 MS. BRIARTON: Well, I think that's
20 it.

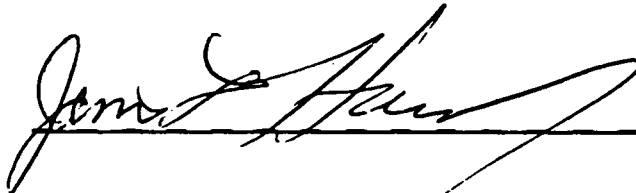
21 THE WITNESS: Okay.

22 (Thereupon, the statement was concluded
23 at 3:25 o'clock p.m.)

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1 I, JAMES L. HARRIS, JR., do hereby certify that
2 the foregoing is a true and accurate transcription of
3 my testimony.
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8 Dated

4-12-93
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CD93-438

1 STATE OF OHIO)

2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Caryl L. Blevins, a Notary Public within and
4 for the State of Ohio, duly commissioned and
5 qualified,

6 DO HEREBY CERTIFY that the above-named
7 JAMES L. HARRIS, JR., was by me first duly sworn to
8 testify the truth, the whole truth and nothing but the
9 truth; that said testimony was reduced to writing by
10 me stenographically in the presence of the witness and
11 thereafter reduced to typewriting.

12 I FURTHER CERTIFY that I am not a relative or
13 Attorney of either party nor in any manner interested
14 in the event of this action.

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 and seal of office at Dayton, Ohio, on this
17 16th day of March, 1993.

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CARYL L. BLEVINS
NOTARY PUBLIC, STATE OF OHIO
My commission expires 7-16-93